

KENTUCKY BOARD OF DENTISTRY

SPRING NEWSLETTER

2007

OVERVIEW OF THE BOARD OF DENTISTRY

BOARD MEMBERS 2006-2007

David Narramore, D.M.D.
Whitesburg, Kentucky
President

William Dew, D.M.D.
Hopkinsville, Kentucky
Vice-president

Hank Sleet, D.M.D., M.D.
Florence, Kentucky
Secretary-Treasurer

Jim Allen, D.M.D.
Prospect, Kentucky

Chris Babcock, D.M.D., M.D.
Louisville, Kentucky

Dianne Embry, R.D.H.
Bowling Green, Kentucky

Vacant
Consumer Member

Julie Gaskill, D.D.S.
Bowling Green, Kentucky

Laura Justice, D.M.D.
Lexington, Kentucky

The Kentucky Board of Dentistry is governed by the Commonwealth of Kentucky and is a separate and distinct entity from any professional association. The main functions of the board are to regulate the dental profession and protect the public in matters related to dentistry. The board is self-supporting and does not receive a general fund tax appropriation.

***** ELECTION NOTICE *****

NOMINATIONS ARE DUE BY APRIL 20, 2007



The terms of Dr. Bill Dew (Zone 6) and Dr. Laura Justice (Zone 2) will expire on June 30, 2007. Any licensed dentist may submit nominations to the Board by mailing a signed recommendation to the Kentucky Board of Dentistry, 10101 Linn Station Road, Suite 540, Louisville, Kentucky 40223 by April 20, 2007. All nominations must be received by this date to ensure that nominees will be contacted to determine their eligibility and their willingness to serve. It is essential that each nominee who

is submitted to the Governor be well qualified and interested in the public that is served by the dental profession.

The elections will be held on Saturday, May 12, 2007 between 8:00 a.m. and 1:00 p.m. at the Kentucky International Convention Center, in Louisville, Kentucky, during the annual session of the Kentucky Dental Association (KDA). Three candidates from each zone who receive the most votes will be submitted to the Governor, who will make the appointments.

In order to be eligible for appointment, the nominees must be from Zone 2 and Zone 6.

Zone 2 consists of the following counties: Anderson, Bath, Bourbon, Boyle, Clark, Estill, Fayette, Fleming, Franklin, Garrard, Harrison, Jackson, Jessamine, Lee, Lincoln, Madison, Menifee, Mercer, Montgomery, Nicholas,

Owen, Powell, Rockcastle, Scott, and Woodford.

Zone 6 consists of the following counties: Ballard, Caldwell, Calloway, Carlisle, Christian, Crittenden, Fulton, Graves, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, Muhlenberg, Todd, Trigg, Union, and Webster.

All nominees must have been an actual resident and licensed practicing dentist of this state for not less than five (5) years immediately preceding their appointment to the Board. They shall not in any way be connected with any dental or dental hygiene school, or department of any institution of learning, or dental supply business. Any licensed Kentucky dentist may nominate any dentist from Zone 2 and Zone 6.

Absentee ballots will be available upon request for eligible dentists who wish to vote but will not be attending the KDA annual session. A written request for an absentee ballot, along with a self-addressed, stamped envelope, must be received by the Board by April 25, 2007. The completed ballot must be received by the Board no later than May 9, 2007 to be valid.

ADVERTISING OF DENTAL SERVICES

201 KAR 8:006 prohibits a dentist from using false, misleading, or deceptive advertising and also establishes the rules for dentists to advertise as specialists or as being especially qualified in any area of dentistry. A licensed dentist may only advertise as being especially qualified in any area of dentistry if that area of dentistry is a field of specialty recognized by the American Dental Association (ADA)(KRS 313.400). Further, a general dentist shall not use the words “certified”, “board certified”, or “diplomate” in any area of dentistry that is not a field of specialty recognized by the ADA, unless the advertisement states that Kentucky law does not recognize the advertised field as an area of dentistry suitable for licensing as a dental specialist.

All dental advertisements shall contain the name of each licensed dentist providing services within that practice. Kentucky law mandates that a dentist also include in the advertisement the phrase “General Dentist” or “General Dentistry” or “Family Dentist” or “Family Dentistry” or the name of the appropriate specialty recognized in KRS 313.400, if the dentist holds that specialty license. KRS 311.375 prohibits a person with any doctor degree from using the title “Doctor” or “Dr.” without affixing suitable words or letters designating the particular doctor degree held by such person. Further, a dentist shall not use the name of a dentist who does not have an ownership interest or any association in the dental practice. A dentist who purchases the dental practice of another dentist shall not use the name of the seller for more than one (1) year after the purchase of the practice. Also, a dentist shall not use the name of another dentist who formerly practiced as a partner, after the termination of that partner’s ownership interest in the dental practice.

Any licensed Kentucky dentist may submit their proposed advertising to the Kentucky Board of Dentistry for written approval prior to using the advertising.

CONTACTING INDIVIDUAL BOARD MEMBERS

The Kentucky Board of Dentistry consists of 9 members who are appointed to serve the public by regulating the practice of dentistry in Kentucky. One of the responsibilities of Board members is to approve licensure applications to practice dentistry or dental hygiene. Once licensed, a licensee may have action taken on his or her license for any violation of the Dental Practice Act. Members of the Board determine the final licensure discourse, after appropriate due process.

Board members, who are directly contacted by an interested party, such as a dentist or dental patient, regarding an applicant for licensure, investigation, complaint, or disciplinary action, may be placed at a disadvantage among business considered by the full Board. Any information provided to that Board member could sway his or her unbiased opinion regarding the issue before the full Board. This could result in the applicant or licensee not being given an opportunity to be addressed by the full Board.

A Board member receiving communication that could sway his or her opinion may be required to recuse from participating in the matter before the Board. This not only puts the applicant or licensee at a disadvantage, but also puts the Board member in an awkward position of participating in Board business.

All correspondence regarding business of the Board should be sent directly to the Board office. Phone calls regarding business of the Board should also be directed to the Board office. Board staff carry out the day-to-day functions of the Board. If staff is unable to address the concern(s), they will research the matter or advise the appropriate means to address such concern(s).

Please keep in mind that individual Board members do not make decisions for the entire Board.

CHANGE OF MAILING AND BUSINESS ADDRESS

Please make sure to inform the Board in writing of any change of mailing and business address. The Board needs to maintain a current mailing and business address in order to relay appropriate correspondence and information to its licensees.

KRS 313.080(5) and 313.305(5) requires “Each dentist/dental hygienist licensed to practice under this chapter shall notify the Board in writing of any change in the licensee’s name, official address, or employment within ten (10) days after the changes has taken place.”

A change of address form is provided on the back of this newsletter. This form can be completed and mailed or faxed to the Board office.

RADIATION SAFETY COURSE FOR DENTAL ASSISTANTS

201 KAR 8:130 establishes the guidelines for dental assistants to be certified in radiography. All dental assistants must have passed a course approved by the Kentucky Board of Dentistry on Radiation Safety BEFORE they are allowed to take x-rays within a dental office. It is the dentist's responsibility to maintain written documentation that a dental assistant has completed:

1. A minimum of a six-(6) hour course in dental radiography safety approved by the Board. Written documentation must be kept on file in the dentist's office showing successful completion of the course; AND

2. Technique instruction: A minimum of four (4) hours of instruction by the dentist in dental radiography technique while under the employment and supervision of the dentist in the office where the dentist practices;

OR

Maintains written documentation that the dental assistant has completed a minimum of a four (4) hour course in radiography technique, which must be approved by the Board.

Assistants, who have already completed a Board approved six-hour (6) course in radiation safety and can supply proof of such to their dentist and are not required to take the course again. Written documentation of completion of this course must be kept on file in the dentist office. Although a dental assistant does not have to take the radiation safety course over, each assistant is required to have the four (4) hours of technique instruction from their employing dentist.

The dentist must continuously supervise and inspect the dental assistant while taking radiographs. Licensed and registered dental hygienists are deemed to meet the requirements of this administrative regulation and not required to take this course.

Failure to have on file proof of all dental assistants having passed an approved six (6) course in radiation safety and having proof of four (4) hours of technique training will result in disciplinary action being taken against the employing dentist(s).

Any dentist who is unsure as to whether a course is an approved course by the Board may send a copy of the syllabus and a detailed outline of the course to the Board office for review and approval. Please do NOT assume that all courses are approved; all courses must meet the guidelines as set forth by the Board.

DENTAL HYGIENISTS SUSPENDED FOR LICENSURE NONRENEWAL EFFECTIVE JANUARY 1, 2007

	License Number
Brandy Michelle Adams	3499
Jennifer Lynn Alger	3498
Cynthia A Barnes	0941
Nicole Beckstrom	2752
Tonya Beringer	1910
Shari Birch	1895
Natalie Kevin Carroll	3164
Raquel Fonte Cofield	3033
Valerie Lynn Cornett	3389
Amanda Nicole Covington	3525
Molly Jo Cox	1927
Chandra Lalita Harward	3435
Heidi Joan Henrie	3161
Darla L Jenkins	3180
Jennifer Jones-Gentry	3177
Catherine Keefe	3198
Virginia Kraboel-Williams	1018
Karen Elaine Lewkowski	3370
Tammie Danielle Lindsey	3724
Katherine McDowell	2532
Amy S Mingledorff	1004
Dana J Morris	3147
Emily Schedule	1419
Gia Sharee Smith	3462
Kenneth Smith	3088
Rhonda Louise Stober	3374
Alexandria Tordiff	3652
Shanna S Walter	3346
Sharon K Williams	3002

REPORT OF INJURY OR MORTALITY

201 KAR 8:390 requires a licensee engaged in the practice of dentistry to submit a complete report to the Board within thirty (30) days of a mortality or other injury occurring in an outpatient facility of the dentist.

MORE ON INFORMED CONSENT

201 KAR 8:430 defines "Informed Consent" and further provides that a licensee is guilty of "unprofessional conduct" when the licensee performs professional services without first obtaining the informed consent of the patient. This regulation does not specify the manner in which informed consent is provided (i.e. in writing or through a verbal consultation). For licensees who provide and obtain verbal informed consent, the Board encourages licensees to note in the patient record how informed consent was presented to the patient and whether or not the patient consented to the provision of dental services.

All Kentucky dentists are required to use a Kentucky registered dental laboratory. 201 KAR 8:015 requires the Board to take appropriate disciplinary action against dentists who use commercial dental laboratories that are not registered in Kentucky. Below is the Board's NOTICE of the labs that did not renew their registration for 2007.

Advanced Ceramics Inc
Ahwatukee Dental Lab
Artistic Dental Studio Inc
Artizan Dental Lab Inc
Boos Dental Lab
Bridges Dental Lab Inc
D&N Dental Designs Inc
Dalton Dental Lab
Dental Crafts
Executive Crown & Bridge
Flud Dental Lab
Fuhrmann Dental Lab
Gold Dust Dental Lab
Great White Dental
Greg Curd Lab
Gwinnett Dental Lab
Hays Dental Lab
Hoffman & Associates
Hogan Dental Lab
JK Dental Arts Inc

Jurim Dental Studio Inc
Lakewood Ortho Lab
Meeks Dental Lab
MidAmerica Orthodontic Lab Inc
New Wave Dental Studio
Oral Arts Dental Lab Inc – Atlanta, GA
Pal-Mar Dental Lab
Perfecto Dental Lab CDL LLC
Phoenix Crown & Bridge Lab Inc
Prather Dental Lab
Quality Star Dental Ceramics
R & S Dental Lab
Recigno Lab Inc
Sumner Dental Laboratory
Tennyson Dental Lab
Tri City Crown and Bridge Inc
Up-N-Cumming Dental Lab Inc
Vince Dental By Roy Inc
White Rock Dental Lab Inc
Windsor Dental Ceramics Inc

**BOARD DISCIPLINARY ACTIONS
FOR OCTOBER, 2006 – MARCH, 2007**

The following is a summary of the disciplinary actions rendered by the Board. This summary is intended for informational purposes only. All information is believed to be accurate; however, complete terms of each disciplinary action are contained within the Board's records.

**Pamela Revel, D.M.D., Nicholasville, Kentucky
November 2006**

Obtaining a fee by misrepresentation. Admitted violating the law. Settlement Agreement. Two years probation. \$500 costs; and \$500 fine. Continuing education on office billing and dental documentation. Board monitoring of practice with costs. Comply with all terms within Settlement Agreement. First disciplinary action.

**Robert Curtis, D.M.D., Maysville, Kentucky
November 2006**

Non-compliance with continuing education requirements. Hearing held. Board found a violation of the law. \$500 costs; \$1,100 fine. Board ordered other conditions of its Final Order.

**IMMEDIATE, TEMPORARY SUSPENSION
Kenneth Sutton, D.M.D., Louisville, Kentucky
November 2006**

Order and Notice of Immediate, Temporary Suspension for allegations of prescribing, procuring, dispensing, administering, or otherwise preparing a legend drug, including a controlled substance, other than in the course of the professional practice of the dentist; prescribing scheduled drugs in inappropriate amounts or quantities not in the best interest of the patient; committing an act related to the practice of dentistry that creates a danger to the public, patients, or employees of the dentist, whether or not the act constitutes a crime; and having such a physical or mental disability, or other condition, that continued practice would be dangerous to patients or to the public. Immediate Temporary Suspension effective November 13, 2006 to January 2, 2007. Temporarily reinstated.

**IMMEDIATE, TEMPORARY SUSPENSION
John Ballard, D.M.D., Lexington, Kentucky
November 2006**

Order and Notice of Immediate, Temporary Suspension for allegations of violation of an Order of the Board by using illegal drugs while holding a license on probation for previous illegal drug use. Not less than a twelve month, temporary suspension and \$500 fine.

**Jason Lipoff, D.M.D., Louisville, Kentucky
January 2007**

Prescribing, procuring, dispensing, administering, mixing or otherwise preparing a legend drug, other than in the professional practice of the dentist. Admitted violating the law. Settlement Agreement. Four reprimands. \$500 costs; and \$500 fine. Successfully complete and be a graduate of a post-graduate training program/residency program. First disciplinary action.

**Cheryl Freeman-Jackson, D.M.D.
February 2007**

The Kentucky Supreme Court denied Dr. Freeman-Jackson's Motion for Discretionary Review thus denying her further appeal. The Court of Appeals' Opinion Affirming which upheld the Board is thus final. Dr. Freeman-Jackson's license to practice dentistry in Kentucky was suspended by the Board in 2005 for a period of nine months, and her license was deemed permanently retired thereafter.

**Michael Sears, D.M.D., Corbin, Kentucky
March 2007**

Conviction of a felony, which involved unlawful prescription writing for scheduled drugs. Admitted violating the law. Settlement Agreement. Licensure revocation. Cannot reapply for licensure for a period of five years. Comply with all terms within the Settlement Agreement. Third disciplinary action.

**Barbara Emler, D.M.D., Lexington, Kentucky
March 2007**

Prescribing or procuring a scheduled drug for herself. Admitted violating the law. Settlement Agreement. License deemed suspended which otherwise already expired for non-renewal. Cannot reapply for licensure until July 1, 2007, and only with conditions of relicensure. First disciplinary action.

**Abby Coppage, R.D.H., Walton, Kentucky
March 2007**

Grossly negligent in her profession by releasing confidential patient information. Admitted violating the law. Settlement Agreement. Ten day suspension, fully stayed and probated for thirty days. \$650 costs; and \$100 fine. Continuing education on HIPAA compliance. Notification of Board Order to employing dentist. First disciplinary action.

**Harold Wilkerson, D.M.D., Campbellsville, Kentucky
January 2007**

Failing to keep written dental records and medical history records that justify the course of treatment of a patient. Admitted violating the law. Settlement Agreement. Reprimand. \$500 costs; and \$500 fine. Continuing education on medical and dental record keeping. Board monitoring of practice with costs. Third disciplinary action.

**Angelique Hope Jones, R.D.H., Louisville, Kentucky
March 2007**

Non-compliance with continuing education requirements. Admitted violating the law. Settlement Agreement. \$3,000 fine. Make up continuing education. Comply with all terms provided in Settlement Agreement. First disciplinary action.

**KENTUCKY BOARD OF DENTISTRY
10101 LINN STATION ROAD, SUITE 540
LOUISVILLE, KY 40223**

CHANGE OF ADDRESS FORM

Name _____ **License No.** _____ ☐ **Dentist** ☐ **Hygienist**

(For Dentist Only) - Preferred Mailing Address ☐ **Business** ☐ **Residence**

Business Address:

Name of Business (if applicable) _____

Address _____

City _____ **State** _____ **Zip** _____

Phone _____ **KY County** _____

Residence Address:

Address _____

City _____ **State** _____ **Zip** _____

Phone _____ **KY County** _____